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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/632,933      | 08/04/2000  | Joakim Persson       | 040070-692          | 3920             |

21839 7590 10/19/2004

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EXAMINER

ZAND, KAMBIZ

| ART UNIT | PAPER NUMBER |
|----------|--------------|
|----------|--------------|

2132

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Office Action Summary**

Application No.

09/632,933

Applicant(s)

PERSSON ET AL.

Examiner

Kambiz Zand

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 July 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this section can be found in the prior office action.
2. The prior office actions are incorporated herein by reference. In particular, the observations with respect to claim language, and response to previously presented arguments.
3. Examiner has approved amendments to the specification.
4. Claims 1-12 are pending.
5. Examiner withdraws objection to the drawings and specification due to correction by the applicant.
6. Examiner withdraws rejection of claims 1-12 under 35 U.S.C. 112-second paragraphs due to correction by the applicant.

### ***Response to Arguments***

7. Applicant's arguments filed 07/22/04 have been fully considered but they are not persuasive.
  - In response to applicant's argument with respect to claims 1 and 6 that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e. "The ACO is a number that is created for every call of the function that generates the signed response" and "ACO is a number used for generation of an encryption key

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that is neither exchanged nor representative of numbers exchanged, between devices sharing information”) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

- In response to applicant's argument with respect to claims 2, 3 and 7 and 8 that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e. “ $X_k$  is not revealed to the other side”) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

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### ***Claim Rejections - 35 USC § 102***

8. **Claim 1-10** rejected under 35 U.S.C. 102(b) as being anticipated by Kruse (US005148007A).

**As per claims 1 and 6**, Krus discloses a method of generating an authentication ciphering offset (see “AP1,” the equivalent of an ACO and see “V2,” the at least one parameter derived from earlier-computed ACOs in column 3, lines 1-16 and see col.2, lines 11-32).

**As per claims 2 and 7**, Kruse discloses the generation of  $X_k$  (see "V2," the equivalent of  $X_k$  col.3, lines 1-16); and applying a commutative binary operation between  $X_k$  and a previous value,  $ACOk-1$  (See "exclusive-OR element XOR" "V2" and "A1" respectively in column 3, lines 1-16).

**As per claims 3 and 8**, Kruse discloses the generation of a kth value of ACO (see "a subsequent generation", s ( $ACOk$ ), "exclusive-OR element XOR" (symbol), "A1" ( $ACOk-1$ ), and "V2" ( $X_k$ ) in Column 3, lines 1-16).

**As per claims 4-5 and 9-10**, Kruse discloses the sum as a bitwise modulo-2 sum performed by a bit-wise exclusive-OR (XOR) operation (see exclusive-OR element XOR" in column 2, lines 1 1-32 and in column 3, lines 1-16).

### ***Claim Rejections - 35 USC § 103***

9. **Claims 11-12** rejected under 35 U.S.C. 103(a) as being unpatentable over Kruse (US005148007A) as applied to claims 1-10 above, and further in view of Kunito et al (U500657763381). As per the teachings applied above, Kruse discloses a communications device. Kruse fails to expressly disclose that this communications device includes either a real-time device or a non-real-time device. However, Kunito et al discloses these features (Kunito et al - abstract). Therefore, it would have been obvious to one of

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ordinary skill in the art at the time the invention was made to modify Kruse by including a real-time device or a non-real-time device as per the teachings of Kunito et al. One of ordinary skill in the art would have been motivated to do so in order to include various subscribers in a communication system in which mutual authentication takes place (Kruse - abstract).

### **Conclusion**

**10. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

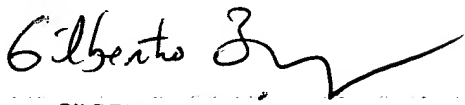
**11.** Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kambiz Zand whose telephone

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number is (703) 306-4169. The examiner can normally be reached on Monday-Thursday (8:00-5:00). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on (703) 305-1830. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Kambiz Zand

10/15/04

  
GILBERTO BARRON  
SUPERVISORY PATENT EXAMINER  
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